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**UNITED STATES DISTRICT COURT
DISTRICT OF OREGON**

UNITED STATES OF AMERICA

1:23-cr-00254-MC

v.

**GOVERNMENT'S SUPPLEMENTAL
EXPERT NOTICE**

**NEGASI ISHAIHA ZUBERI, aka
JUSTIN JOSHUA HYCHE,**

Defendant.

The United States of America hereby provides notice of its intent to call the following expert witnesses at trial under Federal Rule of Criminal Procedure 16(a)(1)(G). The United States reserves the right to further supplement its expert notices before or during trial. A three-week trial is currently scheduled to begin the week of October 7, 2024.

In addition to the experts previously included in the government's July 16, 2024, notice (ECF No. 127) the United States also intends to call the following expert witnesses at trial:

1. Bryan Chiles, Senior Manager at Axon Forensics, Axon Enterprise, Inc. (TASER Pulse)
2. Kori Barnum, Forensic Scientist, Oregon State Police (OSP) Forensic Laboratory-Bend (DNA & evidence collection)
3. John Hobby, Forensic Scientist, OSP Forensic Laboratory-Bend (DNA & evidence collection)
4. Dr. Jay Williams, Emergency Medicine Attending Physician & Chief of Medicine, Sky Lakes Medical Center (examination of AV2)

The proposed expert testimony will assist the trier of fact in understanding the relevance and significance of the government's evidence. Fed. R. Evid. 702. The United States has provided, or will be providing, defendant with copies of the experts' CVs or resumes in discovery. In addition, the United States has provided, or will be providing, in discovery signed copies of the reports underlying the testimony of each witness who produced a signed report. Each witness has reviewed, approved, and signed their expert disclosures. Depending on stipulations and what evidence will be presented to the jury, the United States might not call each of the noticed experts.

1. Bryan Chiles, Senior Manager with Axon Forensics, Axon Enterprise, Inc. (TASER Pulse)

Expected Testimony: The government intends to call Mr. Chiles to testify regarding the general functionality and capabilities of the TASER Pulse and cartridges that were seized by law enforcement in this case. Mr. Chiles has reviewed photographs of the TASER Pulse and two cartridges and will also be able to testify regarding the serial numbers of the items, whether those items were part of a "kit" sold by Axon Enterprises, Inc ("Axon") containing a TASER Pulse and two cartridges, and who the "kit" was sold to. Mr. Chiles will also be able to testify regarding the manufacturing date of the seized TASER Pulse based on its serial number. Mr.

Chiles is expected to testify that the seized TASER Pulse and one of the cartridges came from one “kit” and the other cartridge came from a different kit.

Bases and Reasons: Mr. Chiles’ testimony and related opinions are based on his examination of pictures of the TASER Pulse and cartridges and also his training, education, experience, and expertise in the electronics and test equipment industry and as an employee of Axon.

Qualifications Including Publications: Mr. Chiles’ full qualifications are outlined in his CV. Mr. Chiles has worked for Axon since 2005 and has twenty-five years of experience in the electronics and test equipment industry. Mr. Chiles has had several roles at Axon, including roles in Research & Development, Validation Testing, and Product Compliance. Currently, Mr. Chiles is a Senior Manager with Axon Forensics, and manages and conducts forensic analysis for Axon customers, attorneys, and civilians. In 1998, Mr. Chiles received an Associates Degree in Electronics (with honors) from DeVRY University in Pomona, California. Mr. Chiles also received additional general credits from two California colleges. Mr. Chiles’ publications within the last ten years are set forth in his CV, and include:

- Electrical Weapon Charge Delivery with Arcing - 2018 – Chiles, Nerheim, Brave, Panescue, Kroll - IEEE EMBC 2018.
- TASER CEW Wire Analysis – 2019 – Chiles, BD – Researchgate 2019.
- Conducted Electrical Weapon Controlled-Charge Delivery –2020 - Chiles, B., Nerheim, M., Brave, M., Panescu, D., Kroll, M.W. - Conf Proc IEEE Eng Med Biol Soc, vol. 42, pp. tbd, and Conf. Of Canadian Medical and Biological Engineering Society, August 2020.
- Estimation of Physiological Impedance from Neuromuscular Pulse Data. Chiles, B.D., Nerheim, M.H., Markle, R.C., Brave, M.A., Panescu, D., Kroll, M.W. Conf Proc IEEE Eng Med Biol Soc, vol. 43, November 2021.

- Acoustical and Electrical Analysis of Arcing with Electronic Control Devices. Chiles, B.D., Nerheim, M.H., Markle, R.C., Brave, M.A., Panescu, D., Kroll, M.W. Conf Proc IEEE Eng Med Biol Soc, vol. 43, November 2021.
- Output of Electronic Muscle Stimulators: Physical Therapy and Police Models Compared. Kroll, M.W., Perkins, P.E., Chiles, B.D., Pratt, H., Witt, K.K., Luceri, R.M., Brave, M.A., Panescu, D. Conf Proc IEEE Eng Med Biol Soc, vol. 43, November 2021.

Prior Testimony: In the last four years, Mr. Chiles has testified in state or federal court (including a court in Alberta, Canada) as an expert in the following cases:

Adkins v. Roberts	Northern District of Florida	December 2020
R. v. Lindsay	Court of Queen's Bench of Alberta	July 2021
Edward O'Brien v. Stephen Murphy, et al	Eastern District of Missouri	October 2021
Oklahoma v. Joshua Taylor, et al	District Court of Carter County	November 2021
Ryan A. O'Neal v. City of Phoenix, et al	District of Arizona	February 2022
Kimberly Beck, et al v. US	District of New Mexico	March 2022
Nunis, et al vs. City of Chula Vista	Southern District of California	May 2022
Underwood, et al v. Axon Enterprise, et al	Middle District of Georgia	May 2022
Louisiana v. McCarter, Johnson, et al	Caddo Parish First Judicial District Court	June 2022
Axon Enterprise, v. Luxury Home Buyers	District of Nevada	October 2022
People v. Juan Delacruz	Harris County District Court (Texas)	October 2022
Apollo v. Forest Park, et al	Northern District of Illinois	October 2022
Burke v. Bartlesville, et al	Northern District of Oklahoma	October 2022
Florida v. Sergio Perez	Dade County Circuit Court	February 2023
US v. Corey Posey	Southern District of Indiana	June 2023
Florida vs. Othal Wallace	Volusia County Circuit Courty	August 2023
US v. Corey Posey	Southern District of Indiana	September 2023
Florida vs. Othal Wallace	Volusia County Circuit Courty	September 2023
California v. Mary Jean O'Connor	Superior Court of Los Angeles County	October 2023
Nunis, et al v. City of Chula Vista, et al	Southern District of California	April 2024
New York v. Tyrese Haspil	Supreme Court of New York	May 2024

/s/ Bryan Chiles August 29, 2024

2. Kori Barnum, Forensic Scientist, OSP Forensic Laboratory-Bend (DNA & evidence collection)

Expected Testimony: The government intends to call Kori Barnum to testify regarding her documentation and examination of the cinderblock room inside Mr. Zuberi's garage. In addition to the cinderblock room, Ms. Barnum also examined other areas of the property, including a wooden fence, a walkway, and the garage itself. During the examination, blood staining was observed, including transfer blood stains, at least one swipe blood stain, and possible friction ridge detail. Swabs and evidence items were collected. Presumptive blood tests were also conducted on the suspected blood stains. Placards were placed around the property at significant areas, which were photographed. The cinderblock room was also described and measured. Ms. Barnum is also expected to testify regarding her training and experience.

Bases and Reasons: Ms. Barnum's testimony and related opinions are based on her examination of the property, and also her training, education, experience, and expertise as a forensic scientist.

Qualifications Including Publications: Ms. Barnum's full qualifications are outlined in her CV. Ms. Barnum has served as a Forensic Scientist for the OSP Forensic Laboratory in Portland and Bend since August 2007. Before that, she was an IBIS Technician for OSP in Portland for almost two-and-a-half years. She has also served as an Adjunct Professor in Forensic Science at Portland State University from 2012 to 2015. Ms. Barnum graduated Lewis and Clark College in 1994. In 2005, she received a Masters in Anthropology from Portland State University. In 2006, she received a Bachelor of Science from Portland State University. Ms. Barnum has not authored any publications in the last ten years.

Prior Testimony: In the last four years, Ms. Barnum has testified in state court as an expert in forensic science in the following cases:

Oregon v. Wyatt Lance Hannah	Deschutes County Circuit Court	November 2020
Oregon v. Stephanie May Belgard	Jefferson County Circuit Court	January 2021
Oregon v. Page Butterfield	Linn County Circuit Court	March 2021
Oregon v. Kenneth Atkinson	Deschutes County Circuit Court	October 2021
Oregon v. Marion Douglas	Deschutes County Circuit Court	December 2021
Oregon v. Kyle William Faribanks	Deschutes County Circuit Court	January 2023
Oregon v. Nicholas William	Crook County Circuit Court	May 2023
Oregon v. Brett Thomas Radabaugh	Deschutes County Circuit Court	June 2023
Oregon v. Randall Kilby	Deschutes County Circuit Court	December 2023

/s/ Kori Barnum August 29, 2024

3. John Hobby, Forensic Scientist, OSP Forensic Laboratory-Bend (DNA & evidence collection)

Expected Testimony: The government intends to call John Hobby to testify regarding his documentation and examination of the cinderblock room inside Mr. Zuberi's garage. In addition to the cinderblock room, Mr. Hobby also examined other areas of the property, including a wooden fence, a walkway, and the garage itself. During the examination, blood staining was observed, including transfer blood stains, at least one swipe blood stain, and possible friction ridge detail. Swabs and evidence items were collected. Presumptive blood tests were also conducted on the suspected blood stains. Placards were placed around the property at significant areas, which were photographed. The cinderblock room was also described and measured. Mr. Hobby is also expected to testify regarding his training and experience.

Bases and Reasons: Mr. Hobby's testimony is based on his examination of the property, and also his training, education, experience, and expertise as a forensic scientist.

Qualifications Including Publications: Mr. Hobby's full qualifications are outlined in his CV. Mr. Hobby has served as a Forensic Scientist for the OSP Forensic Laboratory in Bend,

Oregon since December 2018. Before that, he was Environmental Chemical Analyst for a private company for over two and a half years. Mr. Hobby graduated from California State University, Fresno in May 2015 with a Bachelor of Science in Biology. Mr. Hobby has not authored any publications in the last ten years.

Prior Testimony: In the last four years, Mr. Hobby has testified in state court as an expert in forensic science in the following cases:

Oregon v. Michael Anthony Griffith	Umatilla County Circuit Court	September 2020
Oregon v. Sherry Lynn Vannoy	Harney County Circuit Court	March 2021
Oregon v. Tamalya Montell	Crook County Circuit Court	August 2021
Oregon v. Azreal RM Wiersh	Crook County Circuit Court	August 2021
Oregon v. Anthony Scot Johnson	Harney County Circuit Court	November 2021
Oregon v. Danielle Renee Hood	Deschutes County Circuit Court	December 2021
Oregon v. Jose Francisco A Medina	Malheur County Circuit Court	January 2022
Oregon v. Gordon A Meacham	Harney County Circuit Court	May 2022
Oregon v. Anthony Scot Johnson	Harney County Circuit Court	June 2022
Oregon v. David D Young	Lake County Circuit Court	June 2022
Oregon v. Monte Scott Greene	Crook County Circuit Court	April 2023
Oregon v. Jessica Michelle Boggs	Crook County Circuit Court	July 2024

/s/ John Hobby August 26, 2024

4. Dr. Jay Williams (examination of AV2)

Expected Testimony: The government intends to call Dr. Williams to testify regarding his examination and treatment of AV2 on May 7, 2024. AV2 arrived at the emergency department of Sky Lakes Medical Center in Klamath Falls, Oregon for treatment on May 6, 2023, and May 7, 2024. Dr. Williams was the attending physician on May 7, 2024. His testimony will recount his observations and diagnosis of AV2. Dr. Williams is also expected to testify regarding his training and experience.

Bases and Reasons: Dr. Williams' testimony and related opinions are based on his examination of AV2, as well as his training, education, experience, and expertise as a physician.

Qualifications Including Publications: Dr. Williams' full qualifications are outlined in his CV. Dr. Williams has served as an Emergency Medicine Attending Physician at the Sky Lakes Medical Center in Klamath Falls, Oregon since 2016. He is also the Chief of Medicine for Sky Lakes Medical Center, and Medical Director of Klamath County District 4 EMS, Rocky Point EMS, and Klamath County Community College EMS. Dr. Williams completed an Emergency Medicine Residency at the University of California Davis Medical Center from 2013-2016. He received his Doctorate of Medicine from the Oregon Health & Science University in Portland, Oregon in 2013. Dr. Williams has not authored any publications in the last ten years.

Prior Testimony: Dr. Williams has not testified as an expert at trial or by deposition in the past four years.

/s/ Jay Williams August 23, 2024

Dated: August 30, 2024

Respectfully submitted,

NATALIE K. WIGHT
United States Attorney

/s/ Marco A. Boccato
MARCO A. BOCCATO
Assistant United States Attorney